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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,870	08/09/2001	Dieter Busch	741124-77	3696

22204 7590 10/15/2003

NIXON PEABODY, LLP  
8180 GREENSBORO DRIVE  
SUITE 800  
MCLEAN, VA 22102

EXAMINER

GUADALUPE, YARITZA

ART UNIT	PAPER NUMBER
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2859

DATE MAILED: 10/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

09/24,870



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO. <i>A2</i>
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EXAMINER
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ART UNIT	PAPER
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8

DATE MAILED:

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Commissioner for Patents

See attachment

**DECISION REGARDING THE PETITION REQUESTING THE WITHDRAWAL  
OF THE FINALITY OF THE OFFICE ACTION OF AUGUST 08, 2003**

The Petition to Withdraw the Finality of the Office Action of August 08, 2003, filed September 05, 2003, has been treated as a Request to Withdraw the Finality of the Office Action of August 08, 2003.

The request has been **GRANTED**.

The file record indicates that the Restriction Requirement of October 31, 2002 was improper. Accordingly, the finality of the Office Action of August 8, 2003 is hereby withdrawn.

The time to file a response to the Office Action continues to run from August 08, 2003. Such response must comply with 37 CFR 1.111. Extensions of this time are governed by under 37 CFR 1.136(a).

Mr. David Safran was informed of this decision in a telephone conversation on October 09, 2003.

The application file is being returned to the Technology Center 2800 Central Files where it awaits a response from the applicant.

DG  
10/9/2003

  
**Diego Gutierrez**  
**Supervisory Patent Examiner**  
**Technology Center 2800**